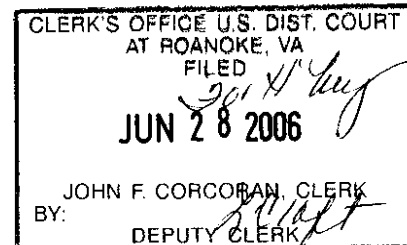


**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
HARRISONBURG DIVISION**



**LINDA RAYNOR,**

**Plaintiff,**

**v.**

**VIRGINIA DEPARTMENT OF  
SOCIAL SERVICES,**

**Defendant.**

**Civil Action No.**

*5:06-cv-00059*

**MEMORANDUM OPINION**

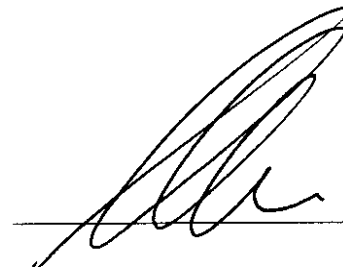
**By: Samuel G. Wilson**

**United States District Judge**

Plaintiff Linda Raynor, proceeding pro se, brings this action against the Virginia Department of Social Services (DSS), claiming, among other things, that a DSS social worker “is criminally neglect in her dealings” with Raynor’s daughter, a minor child in DSS custody and that the social worker “has allowed [Raynor’s daughter] to be drugged with listed drugs.” Raynor seeks to proceed in forma pauperis (IFP) and seeks to “remove [the social worker] from DSS and have DSS pay for [the social worker’s] misdeeds.” Having considered Raynor’s complaint, the court will grant Raynor IFP status; however, the court dismisses Raynor’s action because she has a pending action against DSS in which she makes essentially the same allegations. See 28 U.S.C. § 1915(e)(2)(B) (stating that a court may “at any time” dismiss an in forma pauperis claim if the action “is frivolous or malicious”); Clay v. Yates, 809 F. Supp. 417, 427-28 (E.D. Va. 1992) (stating that district courts, when considering whether an action is “malicious” under 28 U.S.C. § 1915, should consider “the extent to which the conduct of that litigant constitutes an abuse of the judicial process” and that “a complaint which merely repeats

pending or previously litigated claims may be considered abusive”) (citing Crisafi v. Holland,  
655 F.2d 1305 (D.C. Cir. 1981)).

ENTER: This 28<sup>th</sup> day of June, 2006.

  
UNITED STATES DISTRICT COURT